

AO 91 (Rev. 11/11) Criminal Complaint

AUSA: Margaret Smith
Special Agent: Matthew Smith

Telephone: (313) 226-9135
Telephone: (313) 568-6049

10

UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

United States of America
v.
Michael McShan

Case:2:20-mj-30115
Judge: Unassigned,
Filed: 03-04-2020 At 02:48 PM
CMP USA V. MCSHAN (LH)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of December 1, 2018 - March 2, 2020 in the county of Oakland in the
Eastern District of Michigan, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C 2251(a)	production of child pornography

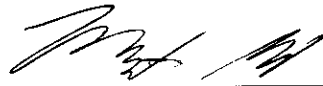
This criminal complaint is based on these facts:
See attached affidavit


☐ Continued on the attached sheet.

Sworn to before me and signed in my presence.

Date: 3/4/2020

City and state: Detroit, MI


Complainant's signature
Matthew Smith HSI Special Agent
Printed name and title


Judge's signature
Hon. Elizabeth Stafford, United States Magistrate Judge
Printed name and title

**AFFIDAVIT IN SUPPORT OF
A CRIMINAL COMPLAINT AND ARREST WARRANT.**

I, Matthew Smith, being first duly sworn, state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Special Agent with the Department of Homeland Security, Immigration and Customs Enforcement (ICE), Homeland Security Investigations (HSI), Detroit, Michigan. Prior to my position with HSI, I was employed as a police officer with the Bloomington Police Department in Bloomington, Indiana. I am a graduate of the Federal Law Enforcement Training Center's Criminal Investigator Training Program and the HSI Special Agent Training School.
2. This affidavit is made in support of an application for a criminal complaint and arrest warrant for MICHAEL MCSHAN for violations of 18 U.S.C. § 2551(a) production of child pornography.

PROBABLE CAUSE

3. On November 8, 2019, a minor female, herein after MV-1 (with a date of birth in 2002) was forensically interviewed by an HSI Forensic Interview Specialist at Care House of Oakland County, a child advocacy center located in Pontiac, Michigan. MV-1 resides in Eastern District of Michigan and resided there when she first encountered a person she identified as Michael MCSHAN (described below). During the interview of MV-1, affiant observed the following:

- a. MV-1 stated that she met an adult female (hereinafter AV-1) (with a date of birth in 1997) through a cell phone application (APP) called MeetMe. MV-1 stated that AV-1 made the initial contact, and that AV-1 introduced her to someone named MICHAEL MCSHAN in December 2018.
- b. MV-1 told MCSHAN that she was 16 years old and MCSHAN told MV-1 that he was 25 years old;
- c. MV-1 Stated that MCSHAN started becoming controlling after about three or four months. MV-1 had to ask if she could go hang out with certain friends; MCSHAN made MV-1 wear a bra “24/7”; MV-1 couldn’t wear shorts; MV-1 “always” had to wear sweatpants and hoodies; MV-1 was not allowed to talk to any guys; MV-1 had to delete every guy off snapchat; and MV-1 was not allowed to wear makeup. MV-1 stated that MCSHAN always told her she needed to work out and eat right, because he wanted her to be skinny.
- d. MV-1 said that MCSHAN would call her a “bitch”, “worthless”, “pathetic”, “stupid”, “dumbass”, and that he would get mad for no reason.

- e. MV-1 said that MCSHAN would call and threaten her multiple times. He told MV1 that if he was with her, he would beat her until she was black and blue.
- f. MCSHAN would get mad at MV-1 because she couldn't meet with MCSHAN as often as he wanted. MCSHAN told MV-1 he was mad that he wasn't having sex "all the time" and wasn't "getting off." MCSHAN told MV-1 that he couldn't do these things without MV1.
- g. MV-1 stated that MCSHAN made her send nude pictures and videos of herself via Snapchat because he was mad at her. MV-1 said MCSHAN would make her send videos of her doing various inappropriate things to include dancing, stripping, and inserting a vibrator into her vagina. MV-1 stated that she sent the pictures and videos via Snapchat over the course of several months.
- h. MV-1 said that MCSHAN purchased the vibrator for her through Amazon and gave it to her in person.
- i. MV-1 stated that MCSHAN would get mad when he couldn't physically see her or if MV-1 didn't send him videos of her stripping, playing with herself, or using the vibrator he purchased for her.
- j. MV-1 stated that MCSHAN sent pictures of his body and private parts to her via Snapchat.

- k. MV-1 stated that MCSHAN used his cellphone to Snapchat with her.
- l. MV-1 stated that MCSHAN told her that he was having money problems because he couldn't make money from his "sugar momma's" since they were together. MCSHAN then began taking MV1's money. It started off as MV1 voluntarily giving MCSHAN a little money (e.g. \$40) here and there to help him out, but then it turned to MCSHAN demanding her paycheck, telling her that as soon as she gets her money, she needs to give it to him right away. MV-1 said that she gave him \$4000 altogether. A couple times she gave him the cash in person. The other times, she would withdraw the cash from her bank account, then put it on a card she picked up from rite aid or Walmart. MV-1 would then take a picture of the card, then send the picture to MCSHAN so he could utilize the card number.
- m. MV-1 stated that she stole money (\$1500) from her dad due to threats from MCSHAN. MV-1 said that even after MV1 took the money, MCSHAN kept asking when she would get him more.
- n. MV-1 stated that MCSHAN spent the money that MV1 stole from her dad on his bills and on marijuana grow equipment.
- o. MV-1 stated that she ran away from home so that she could live and be with Michael MCSHAN on August 8, 2019. MV-1 explained that

MCSHAN lived in Lansing on Grand River Avenue, in a green house that has a garden around the house. MV-1 stated that the house has a two-car attached garage, that is across from a Pepsi Factory, is near two factories, and has a huge red barn in the backyard. MV-1 stated that she got to his house by driving her car from Waterford, Michigan to a gas station in Lansing, Michigan where he picked her up and drove her to his house.

- p. MV-1 stated that, while she was at MCSHAN's house, MCSHAN beat AV-1 until she was black and blue, to the point she was no longer recognizable. MV-1 said that MCSHAN beat AV-1 with a white plastic pole. MV-1 said that she witnessed MCSHAN physically beat AV-1 on multiple occasions. MV-1 stated that she also witnessed verbal abuse of AV-1 by MCSHAN.
- q. MV-1 stated that MCSHAN threatened to beat AV-1 and MV-1 on multiple occasions.
- r. MV-1 stated that MCSHAN threatened to kill AV-1 on multiple occasions and told MV-1 how he would kill AV-1.
- s. MV-1 stated that MCSHAN threatened her and her family.

- t. MV-1 stated that MCSHAN would force her to stand in the corner for four hours if she did something “small” and “dumb”; then tell her not to look at him.
- u. MV-1 stated that once MCSHAN and AV-1 found out MV-1 was reported missing by her parents, they told MV-1 that she could not leave the house. After that, MV-1 was only allowed to go outside to take the dog out, or to go out to the pull barn behind the house.
- v. MV-1 stated that the last four days were the terrible. She said she wasn’t allowed to eat, sleep, shower, or drink water.
- w. MV-1 stated that she was forced to trim the marijuana plants, cut off the branches and buds, and move several one to five-gallon pots out of rooms.
- x. MV-1 stated that there were at least 500 to 1,000 plants at the location, and at that very point and time there were at least 300 plants. She stated that there were plants in the pull barn behind the house, in a greenhouse in the backyard, and in various rooms inside the house as well.
- y. MV-1 stated that she was forced to work on the marijuana grow operation for four straight days and nights. On the fourth night, MV-1 waited for MCSHAN and his “mother” to fall asleep, then escaped the home and travelled on foot to the Lansing airport.

- z. MV-1 stated that while living at home, MCSHAN wanted her to be sexual with her nine-year-old sister. MV-1 said that MCSHAN forced her to take videos of her being sexual with her younger sister, and that he wanted her younger sister to be a part of everything that was going on.
- aa. MV-1 stated that MCSHAN wanted both of her younger sisters to be part of it. She said that MCSHAN wanted to see her nine-year-old sister naked, and to see how she reacted to MV-1 touching her.
- bb. MV-1 said MCSHAN had her do these videos with her sister two or three times.
- cc. MV-1 said that MCSHAN told her that he wanted to see her touch her sister's "pussy", and that he said he wanted to see her "pussy."
- dd. MV-1 stated that MCSHAN convinced her to do it multiple times.
- ee. MV-1 stated that MCSHAN wanted to see her naked and having intercourse with her two younger sisters. MV-1 said that MCSHAN never got to see that, because she couldn't go through with it.
- ff. MV-1 stated that the first video shows that she tried to kiss her nine-year-old sister in her private part but couldn't go down there fully.
- gg. MV-1 stated that the other video she made shows her touching her nine-year-old sister's thigh and touching her "there" over her underwear.

hh.MV-1 said that the videos were sent to MCSHAN via Snapchat and stated that she sent him the above-described requested photographs and/or videos using her cellular phone by accessing Snapchat on the phone.

4. Your affiant later confirmed that Michael MCSHAN's true name is Michael Joseph MCSHAN (08/XX/1993).
5. In January 2020, HSI Detroit forensically extracted the contents of MV-1's cellular telephone, an Apple iPhone7 and located at least one of the sexually explicit videos of MV-1 and her little sister referenced above.
6. On March 4, 2020, law enforcement executed a search warrant at MCSHAN's residence in Lansing, Michigan. MCSHAN was present, as was AV-1. During an interview, AV-1 confirmed that MV-1 had lived at the location for a period of time. Agents seized a total of ten cellular phones.

/

/

/

/

/

/

/

CONCLUSION

7. Based on the aforementioned factual information, Affiant respectfully submits that there is probable cause to believe that Michael MCSHAN violated 18 U.S.C. § 2251(a), production of child pornography.



Matthew Smith
Special Agent
Homeland Security Investigations

Subscribed and Sworn Before me
this 4th day of March 2020



UNITED STATES MAGISTRATE JUDGE

ELIZABETH A. STAFFORD
UNITED STATES MAGISTRATE JUDGE